

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 19, 1979  
9:00 A.M.

301 West Second Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers  
Goodman, Himmelblau, Mullen, Snell, Trevino

Absent: None

The Invocation was given by Reverend Louis Wozniak, St. Louis Catholic Church.

RODEO WEEKEND

Mayor McClellan read a proclamation designating the weekend of July 19-21 as Rodeo Weekend. Herbert Benner, President, Travis County Sheriff's Posse and Wayne Walden, TSCP Rodeo Chairman, received the proclamation from the Mayor with their thanks.

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the minutes for July 5, 1979. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,  
Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

BOARD & COMMISSION APPOINTMENTS

Councilmember Goodman moved that the Council make the following appointments to Boards and Commissions:

Vending Commission

Iris Sanchez Terms to expire 6-1-81  
Greg Ericson

Community Development Commission

Suzanne Coleman Terms to expire 3-1-81  
Stockton Williams

Board of Adjustment

John Farland To draw for terms  
Mary Knief  
Alfred Collins

Building Code Board of Appeals

Charles Morton Term to expire 7-1-81

Electric Utility Commission

Jo Anne Midwikis Term to expire 7-1-81

Energy Conservation Commission

Mary Elaine McDade Terms to expire 7-1-81  
William Allen Brant  
Ruben Ramirez Mitchell  
Earl Podolnick  
Roy Wilson

Ethics Review Commission

Debs Szymanski Terms to expire 7-1-81  
Jean Dahlquist

Citizen's Board of Natural Resources  
and  
Environmental Quality

Michael Aulick  
Don Calloway  
Judy Brown  
Gwen Sederholm  
Richard Shocket  
Mary Ley  
Maury Hood  
Michael Humenick

Terms to expire 7-1-81

Hospital Board

Thomas Hatfield

Term to expire 7-1-81

Plumbing Advisory Board

James Middleton  
Alex McNair  
Clint Smith

Terms to expire 7-1-81

Solicitation Board

Francis Amsler  
Clemith Houston  
Reuben Rountree

Terms to expire 7-1-81

Retirement Board of the City of Austin

Paul Herrera

Term to expire 7-15-81

Renewal Energy Resources Commission

Gary Vliet

Term to expire 7-1-81

The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Mayor Pro Tem Cooke

Noes: None

BOARD & COMMISSION ANNOUNCEMENTS

Mayor McClellan announced the following Board and Commission appointments will be made August 9, 1979:

On-Going Goals Assembly Committee - 1  
Community Development Commission - 2  
Joint Airport Zoning Board - 1  
Electric Utility Commission - 3  
Hospital Board - 3  
Plumbing Advisory Board - 1  
Employee's Retirement System of the City of Austin - 1  
Arts Commission - 1  
Parks & Recreation Board - 1  
Renewal Energy Resources Commission 1

RELEASE OF EASEMENTS

Councilmember Himmelblau moved that the Council adopt a resolution to approve the release of the following easement:

A five (5.00') foot Electrical and Telephone Easement out of the Theodore Bissell Survey #18 and William Cannon Survey #19, as recorded in Volume 2698, Page 312, of the Travis County Deed Records, locally known as east of Manchaca Road and south of William Cannon Drive. (Requested by Jeryl Hart Engineers, Inc. representing the owners)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the release of the following easement:

A portion of a ten (10.00') foot Drainage Easement on the north side of Lot 1, Pemberton Heights Annex, locally known as 2608 Jefferson Street. (Requested by Jeffrey M. Friedman, representing Eugene and Alexandra Slavin, owners)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution to acquire certain land for Springdale Road Phase II (Hycreek Dr. To U.S. 183) CAPITAL IMPROVEMENTS PROGRAM Serial 78/60-02.

0.60 of one acre of land out of that certain 3.92 acre tract of land out of the J.A.G. Brook Survey, the J.C. Tannehill League and the Thomas Eldridge Survey (Presbyterian Development Corp.)

The motion seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem cooke, Councilmember Goodman  
Noes: None

WATER APPROACH MAIN

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following approach main:

NPC REALTY COMPANY

- To construct a water approach main to serve Windsor Hills North Subdivision. (Estimated cost participation by City will be \$75,375 under the outside the City policy or \$100,500 if annexed within one year)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

GOVALLE SHOPPING CENTER BRANCH LIBRARY

Councilmember Himmelblau moved that the Council adopt a resolution to approve a two-year optional renewal lease agreement for a 1750 square foot branch library in the Govalle Shopping Center. (Monthly rent \$400.00 or about 23¢ per square foot per month) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

## CONTRACTS APPROVED

Councilmember Himmelblau moved that the Council adopt a resolution approving the following contracts:

Bid Award:	- 16 films, Austin Public Library
ENCYCLOPEDIA BRITANNICA EDUCATIONAL CORPORATION 425 North Michigan Avenue Chicago, Illinois	- Items 1 thru 1.71 - \$13,021.50
TIME LIFE FILMS 1435 Wilshire Blvd., Suite 2000 Los Angeles, California	- Items 2 thru 2.3 - \$1,230.00
SOUTHWEST MEDIA SERVICES, INC. Wimberly, Texas	- ITEMS 3 thru 3.4, 5 thru 5.2, 8 thru 8.2 and 12.2 - \$2,410
WESTON WOODS STUDIOS, INC. Weston Woods, Conn.	- Items 4 thru 4.8 - \$1,550.00
PYRAMID FILMS 2801 Colorado Avenue Santa Monica, California	- Items 6 thru 6.2 - \$550.00
PHOENIX FILMS, INC. 470 Park Avenue South New York, N.Y.	- Items 7 thru 7.1 - \$227.35
INTERNATIONAL FILM BUREAU 332 S. Michigan Avenue Chicago, Illinois	- Items 10 thru 10.1 - \$110.00
BRIGHAM YOUNG UNIVERSITY W-164 STAD Provo, Utah	- Items 11 thru 11.1 - \$265.00
MACMILLAN FILMS 34 Mac Queston Parkway South Mount Vernon, New York	- Items 12.1 - \$150.00
FILMS, INC. 1144 Willmette Avenue Willmette, Illinois	- Items 14 thru 14.2 - \$1,175.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

VAN WATERS & ROGERS CHEMICAL COMPANY                   - Ferrous Sulfate, Heptahydrate,  
3439 Steen Drive    Twelve (12) months supply  
San Antonio, Texas                                        agreement - \$60,613.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

FEDERAL ENVELOPE COMPANY                               - Envelopes, Utility Customer  
6901 North Lamar Boulevard                            Service  
Austin, Texas    Items 1 & 2 - \$27,540.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following contracts:

Bid Award:    - Resequence Control Cards,  
  Meter Read Tickets and Utility  
  Statements, Utility Customer  
  Service and Data Systems.

STANDARD REGISTER                                       - Items 1 & 2 - \$19,340.00  
7115 Burnet Road  
Austin, Texas

MOORE BUSINESS FORMS                                   - Item 3 - \$8,740.00  
8301 Balcones Drive  
Austin, Texas

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

TECHLINE, INC.  
8750 Shoalcreek Boulevard  
Austin, Texas

- Poles, Metal Street Lighting,  
Electric Utility Department  
Item 1 - 300 ea. @ \$223.00  
Total \$66,900.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

WESTINGHOUSE ELECTRIC CORPORATION  
201 North St. Mary's Street  
San Antonio, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
220 MVA Autotransformer,  
Electric Utility Department  
Item 1 - 1 ea. \$574.124

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

COMBUSTION ENGINEERING INC.  
Power Systems Services  
3334 Richmond Avenue  
Houston, Texas

- Steam Separators, Primary &  
Secondary, Holly No. 1, Holly  
No. 2, Electric Utility  
Department  
Items 1 & 2 - \$17,944.50

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himemblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

HOLTKAMP COMPANY  
132 Holtkamp Road  
Centralia, Illinois

- One Cable Splicing Trailer,  
Electric Utility Department  
Item 1 - \$13,828.02

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

AQUAMARINE CORPORATION  
225 North Grand Avenue  
Waukesha, Wisconsin

- Sale of Surplus Equipment;  
Aquatic Vegetation Control,  
four units, Department of  
Vehicles and Equipment  
Services - \$40,000.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following contracts:

Bid Award:

- Automotive and Equipment Parts  
Supply Agreement, Vehicle and  
Equipment Services  
Twelve (12) months supply  
agreement

WALTER TIPS COMPANY  
200 Colorado  
Austin, Texas

- Items 1-7, 9-13, 15-19, 21, 24-32,  
34, 35, 38, 42-45, and 47-49  
\$107,000.00

ALLIED SALES COMPANY  
5001 East 5th Street  
Austin, Texas

- Items 8, 14, 22-23, 34 & 39 -  
\$8,500

MOTOR PARTS WAREHOUSE  
506 West Avenue  
Austin, Texas

- Items 20, 40 & 46 - \$3,000.00

TEXAS ALTERNATOR STARTER SERVICE  
9600 Middle Fiskville Road  
Austin, Texas

- Item 37 - \$6,000.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

SUPERIOR SOUTHWEST, INC.  
3910 Overton Road  
Dallas, Texas

- Seven Ambulances, Vehicle &  
Equipment Services  
Item 1 - 7 ea. @ \$25,696.00  
Total \$179,872.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

#### WATERLOO PARK CENTER COMMERCIAL KITCHEN

Councilmember Himmelblau moved that the Council adopt a resolution to approve a contract with Coolidge and Associates, Mechanical/Electrical Engineers, for engineering services in connection with the installation of a commercial kitchen in the Waterloo Park Center. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

PARKING METER ZONES

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the following parking meter zones:

<u>METER_ZONE</u>	<u>STREET</u>	<u>LOCATION</u>	<u>SIDE OF STREET</u>
<u>DELETE</u>			
30/60/90/120	W. 10th Street	200-400 Block	North and South
<u>ADD</u>			
30/60/90/120	W. 10th Street	300-400 Block	North and South
30/60/90/120	W. 10th Street	200 Block	South Side

The motion, seconded by Councilmember Goodman, carried by the following vote:

- Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
- Noes: None

STP TRANSMISSION LINE

Councilmember Himmelblau moved that the Council adopt a resolution to enter into a professional service agreement with Vernon G. Steubing and George Otis Castleberry, for acquisition of Right of Way for South Texas Project, Transmission Line, Circuit #3123. The motion, seconded by Councilmember Goodman, carried by the following vote:

- Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
- Noes: None

RESTRICTIVE COVENANT REMOVED

Councilmember Himmelblau moved that the Council adopt a resolution to remove the restrictive covenant of record filed in connection with zoning case No. C14-78-022, 606-611 Kawnee Street, 608-611 Sawnee Street, C.B. Smith Sr., and C.P. Sanders, owners. The motion, seconded by Councilmember Goodman, carried by the following vote:

- Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
- Noes: None

EXEMPLARY IN-SCHOOL YOUTH PROGRAMS DEMONSTRATION PROJECT

Councilmember Himmelblau moved that the Council postpone for one week consideration to submit proposals under the Exemplary In-School Youth Programs Demonstration Project for the following:

University of Texas, Job Readiness Clinic, in the amount of \$423,934 to provide services to 150 handicapped youth for the period February 1, 1980 to September 30, 1981.

Education Service Center, Region XIII/Austin Community College in the amount of \$483,782 to provide services to 100 handicapped youth, for the period February 1, 1980 to November 1, 1981.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

TRANSPORTATION AGREEMENT

Councilmember Himmelblau moved that the Council adopt a resolution to amend the transportation agreement with M.K.T. Railroad Company to include charges for switching empty (gondola or hopper) cars at Waco and Smithville, Texas. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

AMENDMENT TO LAND USE & TRANSMISSION LINE  
CONSTRUCTION LINE AGREEMENT

Councilmember Himmelblau moved that the Council adopt a resolution to amend the 1978 Land Use and Transmission Line Construction Line Agreement with L.C.R.A. or the Fayette Power Project. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

PUBLIC HEARING SET

Councilmember Himmelblau moved that the Council adopt a resolution to set a public hearing for August 23, 1979 at 6:45 P.M. on the following zoning case:

JOHN H. GRIGGS  
C14-78-093

2100 Payne, also bounded  
by Laird Street

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

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Councilmember Himmelblau moved that the Council adopt a resolution to set a public hearing for August 23, 1979 at 7:30 P.M. on amending Chapter 42, Section A-207 of the Austin City Code, Plumbing Ordinance to provide for the new classification of Residential Plumbing Inspector. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

JAZZ FESTIVAL

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-1979 BY ACCEPTING AND APPROPRIATING \$3,500.00 FROM THE NATIONAL ENDOWMENT FOR THE ARTS, FOR THE PURPOSE OF FUNDING A SEGMENT OF THE 1979 JAZZ FESTIVAL; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

Mayor McClellan announced that the ordinance had been finally passed.

SENIOR AIDES PROJECT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-1979 BY ACCEPTING AND APPROPRIATING \$307,200.00 FROM THE NATIONAL COUNCIL OF SENIOR CITIZENS, INC., FOR THE OPERATION OF THE SENIOR AIDES PROJECT; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

Mayor McClellan announced that the ordinance had been finally passed.

RETIREMENT & PENSIONING ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN, PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 4, OF ARTICLE IX, OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTIONS; PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND SAVINGS CLAUSE AND DECLARING AN EMERGENCY," AND AS AMENDED FROM TIME TO TIME THEREAFTER, BY CHANGING THOSE PARTS OF AFORESAID ORDINANCE TO EFFECTUATE THE FOLLOWING; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

Mayor McClellan announced that the ordinance had been finally passed.

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Councilmember Himmelblau moved that the Council refer back to the Retirement Board a proposed amendment to the City of Austin Retirement and Pensioning Ordinance which would allow all employees with ten years service to purchase additional creditable service equal to a maximum of twelve months credit. The motion, seconded by Councilmember Mullen carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

#### ZONING ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780720-N, ENACTED BY THE CITY COUNCIL ON JULY 20, 1978, BY CORRECTING THE USE DESIGNATION OF THE PROPERTY ZONED BY SAID ORDINANCE AND BY ADDING A HEIGHT AND AREA DESIGNATION TO SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-025, The correct zoning is "GR" rather than "O")

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

Mayor McClellan announced that the ordinance had been finally passed.

#### ANNEXATION ORDINANCE

Mayor McClellan brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 41.00 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE PATTERSON MOORE SURVEY NO. 70, LAWRENCE P. SUNBERG SURVEY NO. 71, AND ALEXANDER EANES SURVEY NO. 290, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14a-79-005)

The ordinance was read the third time, and Councilmember Himmelblau moved that the ordinance be finally passed. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

AUGUST 23 COUNCIL MEETING TIME  
CHANGED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING THAT THE CITY COUNCIL MEETING OF AUGUST 23, 1979, SHALL BEGIN AT 6:00 P.M. INSTEAD OF 9:00 A.M.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

Mayor McClellan announced that the ordinance had been finally passed.

AGENDA ITEM PULLED

Councilmember Himmelblau moved that the Council postpone until August 2, 1979, consideration of request by the Austin Redevelopment Authority to amend the 4th-year contract and reprogram 1st, 2nd and 3rd year funds into the 4th year. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

SUMMER YOUTH RECREATION PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-1979, BY ACCEPTING AND APPROPRIATING \$26,878.00 FROM THE COMMUNITY SERVICE ADMINISTRATION (CSA) FOR THE PURPOSE OF FUNDING A SUMMER YOUTH RECREATION PROGRAM; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

PARTIALLY EXEMPT HISTORIC LANDMARK  
PROPERTIES DESIGNATED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 32 OF THE AUSTIN CITY CODE OF 1967; ESTABLISHING A NEW SECTION 32-49.1; PROVIDING APPROVAL FOR PARTIAL EXEMPTION FROM AD VALOREM TAXES FOR CERTAIN HISTORIC LANDMARK PROPERTIES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
BARRINGTON OAKS, SECTION 10, LOCALLY KNOWN AS 12230-12288 U.S. 183, 12005-12027 BARRINGTON WAY, FROM "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS AND WILLIAMSON COUNTIES, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Barrington Oaks Joint Venture, C14-79-086)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE NORTH 56 FEET OF LOT 7 AND THE NORTH 56 FEET OF THE EAST 27 FEET OF LOT 8, BLOCK C, PLACIDENA SUBDIVISION, LOCALLY KNOWN AS 4105 SOUTH 1ST STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Wilmath E. Anglin, C14-79-095)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

- Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
- Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 11, BLOCK 2, E.H.DEATS ESTATE, LOCALLY KNOWN AS 201 SPRINGDALE ROAD, FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Richard Flow, C14-79-099)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

- Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
- Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.24 ACRE TRACT OF LAND, LOCALLY KNOWN AS 9232 JOLLYVILLE ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Robert Wilson, C14-79-071)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 1, REINDALE ACRES, LOCALLY KNOWN AS 9310 NORTH INTERREGIONAL HIGHWAY 35, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Ramada Inn, Inc. C14-79-097)

The ordinance was read the first time, and Councilmember Himmelblau moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

The Mayor announced that the ordinance had been passed through its first reading only.

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Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.68 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1602 EAST 1ST STREET (WOLF HOUSE), FROM "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "C-H" COMMERCIAL-HISTORIC, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Wolf House, C14h-77-044)

The ordinance was read the first time, and Councilmember Himmelblau moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

The Mayor announced that the ordinance had been passed through its first reading only.

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Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN APPROXIMATE 6,820 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF OUTLOT 7, DIVISION B, ORIGINAL CITY OF AUSTIN (EVANS HALL), LOCATED ON CHICON STREET (HUSTON-TILLOTSON CAMPUS), FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "B-H" RESIDENCE-HISTORIC, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Evans Hall, C14h-79-012)

The ordinance was read the first time, and Councilmember Himmelblau moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

The Mayor announced that the ordinance had been passed through its first reading only.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1, 2, AND 3, GATLIFF ADDITION, LOCALLY KNOWN AS 11585 JOLLYVILLE ROAD AND 5350-5352 THUNDER CREEK ROAD, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Susie E. Gatliff and Ramon Smith, C14-77-078)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.45 ACRE TRACT OF LAND, LOCALLY KNOWN AS 501-503 EAST RUNDBERG LANE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Jack E. and Margie Bunch, C14-79-027)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 14,876 SQUARE FOOT TRACT OF LAND LOCALLY KNOWN AS 1704 REDWOOD AVENUE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (J.M. Richard, C14-77-071)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

Abstain: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: LOTS 1 AND 2, W. E. DAVIS SUBDIVISION AND LOT 5-A, J. D. JENNINGS SUBDIVISION, SAVE AND EXCEPT A FIVE FOOT STRIP OF LAND PARALLEL AND ADJACENT TO THE SOUTH 2ND STREET RIGHT-OF-WAY LINE, FROM "MH" MOBILE HOME, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A FIVE FOOT STRIP OF LAND PARALLEL AND ADJACENT TO THE SOUTH 2ND STREET RIGHT-OF-WAY LINE BEING OUT OF AND A PART OF LOTS 1 AND 2, W. E. DAVIS SUBDIVISION AND LOT 5-A, J. D. JENNINGS SUBDIVISION, DESCRIBED IN TRACT 1 ABOVE, FROM "MH" MOBILE HOME, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 3702 SOUTH 2ND STREET, 805 SOUTH CENTER STREET AND 3704 SOUTH 2ND STREET; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (James D. and Eunice H. Jennings, C14-79-090)

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Goodman

Noes: None

Abstain: Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Snell

The Mayor announced that the ordinance had been passed through its first reading only.

## NO ACTION TAKEN ON AGENDA ITEM

The Council took no action on a proposed ordinance cancelling the August 2, 1979 City Council meeting and reinstating the City Council meeting on August 16, 1979, to begin at 9:00 A.M.

## ZONING HEARINGS

Mayor McClellan opened the public hearing, scheduled for 9:30 a.m. on the following applications. Pursuant to published notice thereof, the following zoning was publicly heard:

NORTHWOOD DEVELOPMENT CORPORATION By Phil Mockford (Tract 1) C14-78-147	3100-3116 Oak Creek Drive, also bounded by Farm Road 1423	From Interim "AA" Residence 1st Height and Area To "A" Residence, and "GR" General Retail 1st Height and Area RECOMMENDED by the Planning Commission
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Mr. Lillie reviewed the application. Mr. Phil Mockford, representing the applicant, reminded Council he had gone through the explanation of this previously and thought the 183 Study was not applicable to the site because there is no access to a highway. He said Mr. Ward, who represents the homeowners, asked him if the applicant would agree to a buffer along Oak Creek Drive and they have agreed to that. The neighborhood association also asked if there could be an access to the property out of the rear and over to 1325. Mr. Mockford found that is impossible as far as the State Highway Department is concerned. He requested granting of the zoning application as it was recommended by the Planning Commission.

MR. NOLEN WARD, member of the Northwood Homeowner's Association, appeared before Council to state Abbott Laboratories is thinking of building a plant 4/10 of a mile from this location that will employ from 300 to 2,000 employees. He said they felt, if the plant is built, it will result in more traffic in the area, causing a perilous situation on 1325. He asked Council to investigate the possibility of having another entrance in the subdivision, and requested approval of the zoning change not be granted until the entrance question can be solved. Mayor McClellan asked about the traffic problems. Mr. Lillie said the 1325 study, which parallels the 183 study should be ready for Council in September, and it may take care of the impact on the roadway problem.

MR. GORDON DAVIS, Land Development Manager for Nash Phillips Copus, told Council, as they know, the land does not front on 1325 and the concerns of the homeowners in Northwood has been another means of ingress-egress. He discussed the alignment of Parmer Lane and said this has been discussed with the Planning Department. He said that on his own he has sat at the intersection to count the cars and has never seen a back log of traffic. Mr. Joe Ternus, Director of Urban Transportation, said he thought the major improvement in the area would be Parmer Lane.

Councilmember Mullen asked Mr. Mockford where the buffer is, how large, how big. Mr. Mockford said it was along Oak Creek Drive. Mr. Mullen said he just wanted to get into the record that which has been agreed upon. Mr. Mockford answered, "I thought I agreed to ten feet along Oak Creek Drive".

Motion

Councilmember Mullen moved that the Council grant "A" Residence, 1st Height and Area, and "GR" General Retail, 1st Height and Area, as recommended by the Planning Commission with 10' buffering along Oak Creek Drive. The motion was seconded by Mayor Pro Tem Cooke.

Councilmember Mullen asked Mr. Ward what the buffering is for. He said the basic idea is to keep the area green and visually consistent with the homes. He said he would recommend 20' of buffering. Mayor McClellan and Mr. Lillie then discussed the Landscape Ordinance which will be brought before Council.

Friendly Amendment

Mayor Pro Tem Cooke offered a friendly amendment to grant the zoning as recommended by the Planning Commission with 15' of buffering along Oak Creek Drive. Councilmember Mullen accepted the friendly amendment.

Roll Call on Motion with Friendly Amendment

Roll Call on motion with friendly amendment, showed the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen  
Noes: None

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, and "GR" General Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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Mayor McClellan opened the public hearing, scheduled for 9:45 a.m. on the following applications. Pursuant to published notice thereof, the following zoning was publicly heard:

<p>L. JAN TURK and RALPH O. KEHLE, ET AL By Ron Scharfe C14-79-100</p>	<p>1200, 1204 &amp; 1208 Ben White Boulevard</p>	<p>From "O" Office and "GR" General Retail 1st Height and Area To "O" Office and "GR" General Retail 2nd Height and Area RECOMMENDED by the Planning Commission, subject to special permit process as agreed to by applicant.</p>
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Mr. Lillie reviewed the application and reminded Council this had been before them previously...the request being for a 6 story apartment building.

MR. ROBERT DAVIS appeared for the applicant and stated they want to save the trees on the land toward the front half of Ben White. He showed Council the plan for the 6 story building and a plan with two story buildings. He pointed out how many more trees would be lost with the two buildings. Councilmember Himmelblau asked Mr. Davis if he would agree to a roll back to "B" on the entire property. He said they would as long as it was tied to building this project and this Special Permit. The financing has not been obtained, he said, "And if you are familiar with the way buildings are built, you have to have your whole package together before you go and I would hate to commit to that roll-back only to find out for some reason or other this project could not be built. But we would agree to restrictive covenants, or whatever way would be the best way, according to the Legal Department, to tie that if this project is built it would be zoned "B" 1st Height and Area everywhere, except the building pad, and that would be zoned "B" 2nd Height and Area. Councilmember Himmelblau said that is what she asked about because she would not approve of "GR" 2nd Height and Area. She asked Mr. Lillie, "If it were zoned "B" 1st on all the pad, and that was zoned "B" 2nd; on our regular zoning maps would it show the difference on the sections of the tract?" Mr. Lillie answered, "Yes, ma'am, it would show second Height and Area on the building only. The use district map would show "B" on the whole site. The height and area map would show "B" 2nd Height and Area on the pad only and 1st Height and Area on the balance." Councilmember Himmelblau said that was her point. She said she wanted to make sure that if the building is not built they are not locked into "GR" on it 2nd Height and Area. Mr. Lillie answered if there is any amendment to the plan they would simply have to go back through the commission and the Council and request the zoning change.

Motion

Councilmember Himmelblau moved that the Council grant "O" Office, 2nd Height and Area District, and "GR" General Retail, 2nd Height and Area District on Building Portion only with Covenant Restrictive Height to 53' and instruct Planning Department to initiate Roll Back Zoning to "B" on the entire tract. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 2nd Height and Area District, and "GR" General Retail, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

CITIZEN DID NOT APPEAR

Mr. Henry Winston Ault, who had signed up to discuss taxation on property without any services or utilities, did not appear.

AIA VIEWS ON DOWNTOWN AUSTIN REDEVELOPMENT

MR. BOB COFFEE, president, Austin Chapter AIA, appeared before Council to present his chapter's position on proposed American City Corporation plans for downtown Austin redevelopment. He said they are happy about revitalization but do have concerns about Urban Development. Mr. Davidson, City Manager, has asked him to form a task force of architects and they will need further study in order to understand the traffic analysis and other basics. By fall they hope to have a design for redevelopment, but realize that no design will ever satisfy everyone. He suggested economist and sociologists be consulted because downtown will need a sense of community in order to get people back downtown. He said the architects are suggesting a citizen's group to oversee downtown development.

Mayor McClellan thanked him for speaking and emphasized the point that to date there is no plan as such...there are design strategies. She said she is happy about the architects task force and reminded the audience the redevelopment of downtown Austin will take 20 years. Mr. Davidson underlined the Mayor's statements and discussed the process with the City's Boards and Commissions in order to receive recommendations. He said we do have a strategy recommendation from the American Cities Corporation, and the board and commission findings can help formulate a plan. Councilmember Trevino thought a task force would be a good idea and thought it should be formed with citizens of different disciplines.

RECYCLING IN AUSTIN

MS. ELIZABETH BROWN, director, Ecology Action, appeared before Council to state Pat Hartigan would speak and present a proposal asking for a city feasibility study on the best way to recycle in Austin. COPY OF THE REPORT IS ON FILE IN CITY CLERK'S OFFICE. Mayor McClellan thought the request reasonable and asked Mr. Davidson to plug this into the upcoming budget hearing. A letter from Mike Thomas representing the Audubon Society was passed out in support of the recycling program.

## SCULLING BOAT COMPETITION

Councilmember Himmelblau moved that the Council approve the request of Mr. Art Keller, Executive Director of the Austin Aqua Festival, for permission for power safety boats to be on Town Lake from 10:30 a.m. to 6:00 p.m., August 2,3, and 4, 1979 in conjunction with a sculling boat competition. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino  
 Noes: None

## KRIEG COMPLEX CONCESSION STAND

MR. BILL SNOW, Austin Softball Association, appeared before Council to discuss a letter of agreement between the City of Austin and the Austin Softball Association concerning the operation of the Krieg Complex Concession Stand. He said the stand, which was approved by Council earlier in the year, has now been built and will be presented to the City within a few days for their approval. He pointed out it will be carefully operated and maintained in a manner to bring honor and prestige to the city. Their purpose for requesting permission to operate the facility is because it has become very difficult to obtain funds for many projects needed in the city. Rather than come to the city every time there are needs for money for softball, they have taken this approach to raise the revenue to make needed renovations and upgradings of the present facilities. He said this is what all of the money gained from the concessions will be used for. Mr. Snow asked the City Council to instruct the City Manager to sign an agreement with the Austin Softball Association as they have before them.

Motion

Councilmember Trevino moved that the Council adopt a resolution to enter into an agreement with the Austin Softball Association for the purpose of operating a concession stand at Krieg Athletic Complex. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
 Noes: None

PUBLIC HEARING ON WASTEWATER MAIN  
WALNUT CREEK PARK

Mayor McClellan opened the public hearing scheduled for 10:00 A.M. to permit a wastewater main through the Walnut Creek Park. Mr. Curtis Johnson, Director of Water and Wastewater, stated this public hearing is required because of the intended installation of the upper Walnut Creek wastewater main which will go across the Walnut Creek Park. He said this area is immediately west of north Lamar. There is approximately 6700 feet of distance across the park at the point where the line would traverse it. At this portion of the line it would be 48". The proposal has been before the Parks and Recreation Board and received unanimous approval from that body. He said the staff also approves it and is a project which has appeared in several of the recent CIP's and has been discussed and approved through several public hearings.

Mayor Pro Tem Cooke asked, "Is there no feasible and prudent alternative to the installation of the 48-inch wastewater main across anything other than Walnut Creek Park?" Mr. Johnson answered no. Mr. Cooke asked, "In your opinion has all reasonable planning been undertaken to minimize any harm to the use of this land as a park?" Mr. Johnson answered that planning has taken place.

Mrs. Elaine Bostic appeared before Council and said she did not think she has been given the true facts. She lives at 824 Walnut Creek Drive and the city is obtaining an easement on her property. She presented a letter to the Mayor and members of the Council. Mr. Davidson said all of her questions can be answered, and suggested one of the representatives of the city contact her and talk over her problems with them.

Motion

Mayor Pro Tem Cooke moved that the Council close the public hearing and further that it be the finding of the City Council that there is no feasible and prudent alternative to the installation of the 48-inch main across park land in the Walnut Creek Park and that this project includes all reasonable planning to minimize harm to such land as a park, and that the City Council approve this project. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Mayor Pro Tem Cooke  
Noes: None

Motion

Mayor Pro Tem Cooke moved that the Council defer authorization of eminent domain proceedings to acquire the following tract of land for sanitary sewer easement for the Upper Walnut Creek Wastewater Improvements Project: North 20' of Lot 12, North Oaks. (James C. Bostic, et ux, owners) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
Pro Tem Cooke, Councilmember Goodman  
Noes: None

## PUBLIC HEARING - ANNEXATION

Mayor McClellan opened the public hearing scheduled for 10:30 A.M. to consider annexation of and directing the administration to institute annexation proceedings to annex the following:

535.89 acres of land out of the James Coleman Survey No. 25, William Bell Survey No. 44, L. Lindsey Survey No. 287, Robert Foster Survey No. 43, James Jett Survey No. 1, T.J. Chambers 8 League Grant, and M.D. Williams Survey No. 49, Lakewood Village, Lakewood Park Section 1, Lakewood Park 3, Lakewood Park Section 4, Lakewood Park Section 5, The Courtyard, a portion of Loop 360 & R.M. Highway 2222 & unplatted land. (Initially by City of Austin, C7a-79-002)

Mr. Lillie, Director of the Planning Department, stated, "In March of this year the Planning Commission recommended to Council an annexation plan that outlined annual priorities for annexation to the City of Austin, and combined that recommendation with Council review and action on the Capital Improvements Program. Part of that action was Council's indicated interest in annexation of corridors or highway corridors and also the fact that there may be occurrences during the year in which annexations should be considered by Council which were not included in the plan at all. Council authorized the department to proceed with development of field notes on the annexation of Loop 360. We carried the authorization through the Planning Commission and they recommended that 360 annexation be considered in three priorities. The first priority being that area north of Lake Austin and the second priority being that area south of Bee Cave Road back to South Lamar, and the third priority being the center portion from Bee Cave Road north to Lake Austin. The Planning Commission considered Loop 360 north of the lake in June of this year and recommended that the city proceed with its annexation. A fiscal note was prepared by the Research and Budget office for an area 200' on either side of right-of-way line of Loop 360 from the Great Hills area, with the city limit line to the north to Lake Austin with extensions to include existing residential areas either planned or existing. The fiscal note that was prepared spoke to the operating budget and found the revenues would exceed the cost of service over the next five year period if annexation were to proceed. Specifically, with each department, that the Library Department found no changes would be made to the system. The Parks and Recreation Department identified the Bull Creek District Park near by on 360. The area on 360 is a maximum two miles, or at the outer service area for both the Spicewood Springs Road Station at Mesa and the Hancock Station. The level of police service would be the same if annexed as the rest of the city. The city-county contract for EMS service would be continued. The Public Works Department would not have to add additional equipment or staff to serve the area. The Urban Transportation Department found the probable need for additional equipment and personnel. No transit service would be available. And the Water and Wastewater Department identified the area was currently served with city water and the area could be served by the Bull Creek Trunk Main that is located on

Lakewood Drive. Specifically, with respect to wastewater, preliminary design studies have been done with the Lakewood Subdivision...some 60, or so, lots near the intersection of 2222 and Bull Creek. The preliminary study finds that the area can be served and under the city's 100 foot rule, all of the property owners could receive wastewater service by the City of Austin. The only cost would be the tap charges which are \$240 per unit. The area is currently served with city electricity."

Mayor Pro Tem Cooke asked why there would be additional equipment and personnel needed by Urban Transportation when no additional services would be provided. Mr. Ternus said there would be a need for additional signs, markings, etc., and this would take the added personnel and equipment. Mr. Cooke said the greatest negative input he could see for the citizens is fire. Mr. Lillie answered they are on the edge of the 4 mile service area for the two fire stations.

Mr. Lillie continued that if this is approved today, property included would go on the tax roll January 1, 1980 and taxes would be due and payable in January of 1981.

TOM SOLSBY, 7601 Creek Bluff, appeared before Council, and inquired if any environmental impact studies have been done to maintain the environmental integrity of Bull Creek from 183 to 2222. Mr Davidson, City Manager, said there have been some environmental studies done in connection with sewer projects which would answer any questions he might have from an environmental standpoint. Mr. Solsby asked what zoning would be. Mr. Lillie said zoning upon annexation would be "AA" residential...single family detached housing on individual lots. Any more permissive zoning would require Council action before they could proceed. Mr. Solsby asked if street lights would be placed to destroy the owner's views of the surrounding countryside. Mr. Davidson answered that would depend on the wishes of the homeowners. Mr. Solsby asked other questions concerning taxes which were answered by Daron Butler, Budget Director.

JOHN ALVIS, speaking for the Lakewood Club and Lakewood Village Subdivision, presented a petition to Council against annexation of the subdivision. Mr. Lillie indicated he would get together with Mr. Alvis and report on any questions.

#### Motion

Councilmember Himmelblau moved that the Council continue the public hearing on July 26, 1979 at 3:00 P.M. The motion was seconded by Mayor Pro Tem Cooke.

ALLEN RUNDELL, 6507 Lakewood Drive, discussed the installation of the wastewater system and said it did not appear to be adequate for fire hydrants.

### ORGANIZATION FOR A LIVABLE DOWNTOWN

MR. PHIL CONARD, President, Organization for a Livable Downtown, appeared before the Council to present a series of slides relating to the design criteria submitted by the American City Corporation for revitalizing downtown Austin.

### BARTON CREEK WATERSHED MORATORIUM

Council had before it consideration of an ordinance establishing a 180-day moratorium on zoning cases and sewer taps involving land within the Barton Creek Watershed in order to allow time to adopt development regulations to property within the Barton Creek Watershed.

City Manager Davidson stated that he had distributed a memo to the Council suggesting that in addition to today's discussion that the Council consider setting a special work session on the subject sometime next week.

Planning Director Dick Lillie used a map to delineate various jurisdictions within the area under discussion. Within the last 10 years there had been 19 zoning cases involving property under City jurisdiction in the area. Of those cases, four were either withdrawn or denied by the Council. Eleven cases received approval with ordinances passed. One had received approval with an ordinance passed on a portion of the property. Three cases were still pending. Of the 19 cases, all but one occurred on the west side of Barton Creek. The one on the east side occurred in the late sixties. Six of the 19 cases had been developed with about 1200 apartments having been built and another 300 units planned. The remaining zoned but undeveloped property would permit about 1200 apartments, 150 acres of commercial and about 100 acres for low-density development.

Mr. Lillie next reviewed the Wastewater allocations for the Barton Creek Watershed as established by the Council in 1976. Of the 2027 allocations, about 1960 to 1970 had been used. Twenty of the 21 subdivision plats included in the original allocation had been recorded and were under some form of development. The remaining subdivision plat had an approval preliminary pending as of December 1978, and was located just on the west side of the watershed in Dellana Creek. Within the Barton Creek Watershed, there were only two subdivisions pending that did not have allocations in 1976 (Wallingwood Section 1 and Wallingwood Section 2).

Mr. Lillie pointed out that in addition to the Zilker Park lift station there was another lift station in the Dellana Creek watershed with a 1500 gallons per minute capacity serving 15 subdivisions with almost 1600 lot equivalents. 1028 lots had been recorded; 372 lots were pending, while 187 lots were under the 1976 allocation. The three subdivisions pending were Woodhaven Section 2, Woods of West Creek and Bee Cave Woods Section 4, one-half of which was in the Barton Creek Watershed and the other half in the Dellana Creek Watershed.

Mr. Davidson stated, "The law requires that fire protection and other services be provided within three years. However, it is the City Council's policy that service be made on an immediate basis, and it will be. The same is true with regard to police protection and the offer of municipal garbage collection service. We will look at the water system as to what is required to bring it up to standard. That will become a municipal obligation after this area is annexed." Mayor Pro Tem Cooke asked if a fire inspector could inspect the water system. Chief Leland Priest stated the static flow would be checked immediately.

MR. R.L. DODSON, 7604 Cross Meadow, said he did not quite understand about wastewater disposal. Mr. Lillie stated the subdivision is now on septic tank. A preliminary design layout for sewer service has been made. The subdivision can be served. The city has a 100' rule whereby each lot owner gets 100' of line put in by the city, with the total cost to the city, except for the tap charge which is \$240.00 per unit. Mr. Dodson said that where he lives it is considerably more than 100' from the sewer line which was dug. Mr. Lillie said he would have Mr. Curtis Johnson look into the situation.

A man who did not identify himself asked how he could get a copy of the report Mr. Lillie said he would give to Mr. Alvis. Mr. Lillie said he would make copies available to Mr. Alvis and he can distribute them to those who want them.

#### Roll Call on Motion

Roll Call on Councilmember Himmelblau's motion, Mayor Pro Tem Cooke's second, that Council continue the public hearing on July 26, 1979 at 3:00 P.M., showed the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau  
Noes: None

#### Recess

Council recessed its meeting at 11:55 a.m. and resumed its recessed meeting at 2:15 p.m.

#### AD VALOREM TAXES

MR. EDDIE HOLDEN appeared before the Council to discuss the ad valorem tax on automobiles. He felt that the tax was unfair and violated the City Charter. He requested the Council to set a public hearing on the matter. Mayor McClellan said that a public hearing would be held in connection with the budget which also addressed revenues as well as expenditures.

There were other subdivisions in the area within the Barton Creek Watershed that were beyond the City's service, namely the Lost Creek MUD with about 900 acres containing 750 lots and beyond that area about 575 acres with 180 lots on septic tanks which had either been processed or were in the pipeline. None of those lots was included in the moratorium.

Mr. Lillie next presented an overlay showing wastewater lines which were already in the ground within the subject area. He stated that a recommendation was coming from the Planning Commission to delete the South Austin Outfall from the Capital Improvements Program.

With respect to annexation priorities, the only areas outside the City limits were part of the Dellana property which was west of MoPac and south of Rollingwood. There was acreage further on out Loop 360 from Walsh Tarleton Lane on out to Lost Creek and north of Loop 360; there was a tract of land between the park and a large triangle of land to the west of Lamar and Loop 360 which were outside the City limits. Those areas were in the Council's priorities for annexation in 1979. Remaining capacity in the wastewater system in the Barton Creek Watershed could not serve the areas which might be annexed.

Using an overlay, Mr. Lillie pointed out the five subdivisions which were pending, the zoning cases pending and a small tract of land on Walsh Tarleton which was postponed at the applicant's request.

City Attorney Jerry Harris, reviewed the proposed moratorium ordinance for the Council. He stated that the ordinance would not apply to recorded plats which were previously approved through existing City Council rules and regulations and plats which had already been placed into the development pipeline.

In response to Mayor Pro Tem Cooke's question, Mr. Harris stated that he felt that 180 days would be a reasonable time frame for urban planning, based on who the moratorium covered and the objective of the study and the reasonable amount of time required to receive the study, develop rules and regulations, and adopt and implement them. In his opinion, Mr. Harris saw preliminary plats as being in the pipeline.

Mr. Lillie stated that no new applications had been received.

In response to Mayor McClellan's question, Mr. Harris replied that in his opinion if the municipality had the capacity to serve an area with wastewater lines, then the City was obligated to do so.

In response to Councilwoman Himmelblau's question, Mr. Lillie said that regarding the preliminary plats which were pending, there was sufficient capacity to serve those areas.

City Manager Davidson stated that there could be no new developments in the watershed connected to the existing sewer system. He felt that the Council should have the opportunity to examine the options for further development.

City Attorney Harris pointed out that Bee Cave Woods Sections 3 and 4 should be added to the proposed ordinance's list of subdivisions to which the moratorium would not apply.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ESTABLISHING A TEMPORARY 180-DAY MORATORIUM ON THE FILING OF ANY ZONING CASE COVERING LAND LOCATED WITHIN THE BARTON CREEK WATERSHED; ESTABLISHING A TEMPORARY 180-DAY MORATORIUM ON THE CONNECTION OF CERTAIN LANDS LOCATED WITHIN THE BARTON CREEK WATERSHED TO THE CITY OF AUSTIN SEWER SYSTEM; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

Motion

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion was seconded by Councilmember Goodman.

(With the additions named by Mr. Harris, subject to possible amendment following the work session.)

Councilmember Himmelblau asked what could develop in the watershed with water connections only. City Manager Davidson felt that that item could be taken up in the work session because part of that watershed was not even on the map.

Mayor Pro Tem Cooke asked Mr. Lillie if there were any preliminary plats in the ETJ as it effected the Barton Creek Watershed. Mr. Lillie said that there were nine plats, six of which were connected with the Lost Creek area and three were beyond that area.

Substitute Motion

Mayor Pro Tem Cooke offered a substitute motion that the Council include the moratorium for the entire ETJ as it effects the watershed and also as it effects the area where the City of Austin has jurisdiction.

After further discussion among the Council and upon the advice of the City Attorney, Mayor Pro Tem Cooke withdrew his motion.

Roll Call on the motion showed the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen

Noes: None

Mayor McClellan announced that the ordinance had been finally passed.

The moratorium on connections to the City of Austin sewer system does not apply to the following lands for which subdivision applications have been approved or submitted for approval prior to July 19, 1979:

<u>LAND</u>	<u>OF RECORD IN TRAVIS COUNTY PLAT RECORDS BOOK/PAGE</u>
Lot 1, Block A, Timberline II	70/25
Timberline III	76/268
Timberline III-C	76/18
Timberline III-D	77/319
Timberline IV	77/58
Timberline Office Park #2	78/75
Horseshoe Bend II	67/75
Horseshoe Bend III	75/30
Horseshoe Bend III-1	75-104
Bee Caves, Sec.2	76/252
Bee Caves, Sec.3	77/397 & 398
Barton Hills, Sec. 6	33/36
Barton Hills, Sec. 7	52/55
Oaks of Barton	76/198
Zilker Heights Resubdivision	75/330
Resub. of Lots 1-3, Block B, Timberline II	77/44 & 45
Spyglass Hill	77/334 & 335
Glenncliff	63/28
Barton Hills, Sec. 7	52/55
Barton Hills, Sec. 6	33/36
Barton Hills, Sec. 7	52/55
Barton Hills West, Sec. 1	38/26
Barton Terrace, Sec. 5	37/45
Glenncliff	63/28
Wallingwood I	Planning Dept. File C8-78-115
Wallingwood II	Planning Dept. File C8-78-116
Bee Cave Woods, Sec. 3	Planning Dept. File C8-78-68
Bee Cave Woods, Sec. 4	Planning Dept. File C8-79-50

COUNCIL MEETINGS AND WORK SESSIONS

The Council had before it consideration of an ordinance cancelling the August 2, 1979 City Council meeting and reinstating the City Council meeting on August 16, 1979, to begin at 9:00 a.m. (Mayor Carole Keeton McClellan and Councilmember Himmelblau)

After discussion, Councilmember Himmelblau said that if the Council held a light meeting on August 2nd and no meeting on August 16th, then the Council would be behind the eight ball from the 23rd of August and on.

Motion

Councilmember Trevino moved that the Council vote to hold the August 2nd Council meeting, set a work session for 2:00 p.m., August 2, 1979 for a Barton Creek work session and not reinstate the Council meeting for August 16, 1979. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino  
Noes: None

ZONING HEARING POSTPONED

Mayor McClellan stated that a letter has just been received requesting indefinite postponement of the following zoning hearing scheduled for 3:00 P.M.

CAPITOL CITY OIL  
COMPANY  
By James E. Olson  
C14-79-101

2915 South 1st Street

From "LR" Local Retail  
District  
1st Height and Area  
To "GR" General Retail  
District  
1st Height and Area  
NOT RECOMMENDED by the  
Planning Commission

The applicant was filing an application for a special permit which should be done by the middle of next week. If the permit were approved, then the zoning application would be withdrawn. Mr. Lillie stated that the special permit application probably would be heard by the Planning Commission in August.

Motion

Councilmember Mullen moved that the Council postpone the subject case and instructed the staff to send notices when the case came back for consideration. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

## CONGRESS AVENUE IMPROVEMENTS

Joe Ternus, Urban Transportation Director, appeared before Council to present the proposed improvements. Mr. Ternus stated that the Urban Transportation Commission, after a public hearing, recommended that Alternative #1 with a 30-degree angle parking modification be accepted, that the project be planned from 1st Street to 11th Street, that the timing between 1st and 5th Street recognize the developmental plans currently being considered and that the design and construction of this project be completed as soon as possible. (REPORT FROM MR. TERNUS ON FILE IN CITY CLERK'S OFFICE)

Mayor McClellan asked if Alternative #1 would preclude doing Alternative #3 at a later date. Mr. Ternus said that either one could be altered back and forth, but there would be some modifications required particularly at intersections.

Councilmember Himmelblau felt that Alternative #1 was more acceptable with the idea of using Congress Avenue for parades to the Capitol. A median would not allow for parades. She did not want to lose that ability.

Councilmember Trevino stated that he also favored Alternative #1.

Mr. Howard Simmons, who resided in the Westgate Building, presented to the Council a design for a downtown mall which included public restrooms and increased parking spaces.

Mr. Jack Taylor, President, Austin Community Foundation, read a letter to the Council expressing the Foundation's support for downtown beautification. The sum of \$50,000 had been raised for that purpose and it was planned to raise more. The Foundation felt that from a beautification standpoint Alternate No. 3 was the most desirable, but suggested that the median be narrowed from 14 feet to 6 or 8 feet, and that nothing be placed in the median to obstruct the view of the Capitol. Alternative No. 1 would be an acceptable choice, but it was suggested that three "Accent Areas" be designated at 11th Street and the Capitol; between 5th and 7th Streets at the City Hub; and between 1st and 2nd Streets at Town Lake.

Sally Witliff, representing We Care Austin, expressed support for Alternate #1.

CELESTE CROMACK, 4016 Duval Street, expressed concern over removing bus routes from Congress Avenue under the proposed beautification plans. She felt that bus routes should be kept centralized and that more shelters should be built.

JOHN CORY said that he had attended a transportation meeting last night and that the chairman stated that he didn't know why but he seemed to think that the City Council did not know that they had recommended not to have a median on Congress Avenue. The Council indicated that they were aware of the recommendation.

WARREN BEAMAN, representing Downtown Austin, stated that his organization recommended Alternate #1 for the following reasons: 1) outlines existing corners, 2) allows extension of existing sidewalks, 3) adds realistic landscaping with real trees, 4) will not interfere with a view of the Capitol, 5) retention of angle parking, 6) plan allows for evolution.

#### Motion

Councilmember Trevino moved that the Council approve Plan No. 1. \*  
The motion was seconded by Councilmember Himmelblau.

#### Friendly Amendment - Accepted

Mayor Pro Tem Cooke offered a friendly amendment that the Council have the engineers and architects look at any suggestions made today by citizens, particularly the three accent areas. Councilmember Trevino accepted the friendly amendment.

Mayor McClellan asked the City Manager to look at the possibility of public restrooms for the central city area.

#### Roll Call on Motion

Roll Call on the motion showed the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,  
Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

Mayor McClellan stated that the motion today would not exclude at some future date going to a median for Congress Avenue.

\* Alternative Solution 1: The roadway would be narrowed from 6 to 4 traffic lanes and the sidewalks widened not only at corners, but 6 ft. throughout the mid-block. The existing head-in parking would be retained. Transit use would be reduced from 12 routes to 4.

SITE DEVELOPMENT PERMITS HEARING POSTPONED

Mayor McClellan opened the public hearing scheduled for 2:00 p.m. on amending Chapters 29 and 41 of the Austin City Code providing interim requirements for site development permits for the development within Lake Austin Watershed.

Dick Lillie stated that he had submitted a memorandum through the City Manager's office that the Council's boards and commissions that were working on the subject had not completed their work, subcommittees had not completed their work and requested that the item be postponed.

Councilmember Himmelblau moved that the Council postpone the item until 2:30 p.m., August 30, 1979. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau, Mullen  
Noes: None  
Not in Council Chambers when roll was called: Mayor Pro Tem Cooke,  
Councilmembers Snell, Trevino

WOODBURN HOUSE

Mayor McClellan opened the public hearing scheduled for 2:30 p.m. on an appeal from the Hyde Park Baptist Church, Wayne McDonald, Trustee, of the order of the Historic Landmark Commission denying the owner of the property "Woodburn House" a Certificate of Appropriateness to remove to a new location.

DR. RALPH SMITH, Pastor, Hyde Park Baptist Church, appeared before the Council to request that the house at 200 East 40th Street (Woodburn House) be relocated to Garfield, Texas by Mr. Tommy Newsome. The Church had an agreement with Mr. Newsome to remove the house and restore it as his home. Dr. Smith said that so far there had been 7 hearings on the house and if the Council did not take definitive action today, there would be a minimum of three more hearings.

MR BILL GUY described for the Council the procedures followed by the Church in its attempt to advertise the Woodburn House for sale and removal. After the advertisement, three people came by the Church to get copies of the priority listings and contract specifications. Since the closing date specified Mr. Tommy Newsome had been the only applicant for the property.

Mr. Tommy Newsome stated that he had 10 acres in Garfield and wished to move the house to that location. He estimated that it would cost \$100,000 to restore the house and he had the financing available. He then described plans for the restoration of the house.

MR. DON BARKLEY, 1707 Kenwood, stated that he had had to clean up the Woodburn House over a year ago and that it was full of debris. He supported Mr. Newsome's request to buy and move the house.

MR. KIM WILLIAMS, the original applicant for historic zoning for the Woodburn House, spoke in opposition to the request, and stated that historic zoning ordinances across the nation had been repeatedly found to be constitutional.

MR. JACK EVINS, 4104 Avenue F, and President, Hyde Park Neighborhood Association, stated at its last meeting the Association passed a unanimous resolution opposing the relocation of the Woodburn House. He felt that loss of the Woodburn House could be nothing but detrimental to Hyde Park.

JOHN SANFORD, 4206 Avenue F, stated that at the time of the Certificate of Appropriateness hearing before the Historic Landmark Commission, one Commissioner said that if the removal were granted, a dangerous precedent would be set which could set up a pathway by which any unsympathetic property owner could have a historically zoned structure in substandard condition removed from the City. Such precedent could undermine the historic zoning ordinance rendering it ineffectual. Mr. Sanford concurred with that opinion.

TED COMSUDI, 4110 Avenue G, an attorney, cited two historic zoning cases to support denial of removal of the Woodburn House. He asked the Council to vote today to deny removal.

MS. MARGO KERCHO, 4209 Avenue C, read a letter from Ms. Harrilee Hireman, 3909 Avenue G, who lived across from the Woodburn House, expressing her opposition to removal of the house, and asked that the house be restored.

MR. PHIL OLIVER sang a song to express his opposition to the removal of the house. He stated that the Tips House was an example of a house which was restored but was not in place.

MR. SCOTT HIGHTOWER, 309 East 4th Street, representing the Coalition for Revitalization, joined with the Hyde Park Neighborhood Association in saying that the preservation of historical structures in their context is fundamental in maintaining the spirit of Austin.

MRS. DOROTHY RICHTER, 3901 Avenue G, spoke in opposition to removal of the Woodburn House.

Councilmember Goodman stated that Mr. George Boutwell secured a \$79,500 loan from Citizens National Bank for restoration of Woodburn House and would have approximately \$20,000 to move the structure.

Motion

Councilmember Goodmember Goodman moved that the Council close the public hearing and direct the Historic Landmark Commission to consider relocation of the Woodburn House within the Hyde Park neighborhood on an emergency basis within 11 days after the Landmark Commission receives an application filed by another buyer applicant, and if a Hyde Park location is approved that the proposed buyer applicant be given 90 days after full and final approval to consummate the deal. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau  
Noes: None

## ENERGY CONSERVATION AWARDS PROGRAM

WILLIAM A. BRANT, Chairman, Energy Conservation Commission, appeared before the Council to acquaint the Council with the Energy Conservation Awards Program. Mr. Brant said that there were two reasons for the Program: 1) long range goal to encourage conservation for Austin, 2) means of recognizing citizens who contribute significantly through outstanding achievement or accomplishment toward the major goal of energy conservation for Austin. Persons receiving the awards would receive a certificate signed by the Mayor, witnessed by the Councilmembers and presented at a regular meeting. Awards would be made semi-annually to coincide with the seasonal changes. Awards would be presented in one or more of the following categories: 1) individual, 2) organization, 3) commercial, 4) industrial and 5) governmental. Any citizen could recommend someone for an award by writing a letter or sending a report to the Chairman, Energy Conservation Commission giving details of the achievement or accomplishment of the individual being recommended for the award. A Committee from the Commission would evaluate all recommendations and would assume full responsibility for implementation of the Program.

Mayor McClellan stated that she thought that it was a fine program and that it should be implemented.

Motion

Councilmember Mullen moved that the Council approve implementation of the Energy Conservation Awards Program as outlined. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Councilmembers  
Goodman, Himmelblau, Mullen  
Noes: None  
Not in Council Chambers when roll was called: Mayor Pro Tem Cooke,  
Councilmember Trevino

## AUSTIN TRANSIT SYSTEM POLICY MANUAL - POSTPONED

The Council had before it consideration of adopting the revised Austin Transit System Policy Manual. Mr. Ternus stated that the Manual basically extended current policies approved by the Council in 1972 with the following additions:

CHAPTER II. Operations

Route Configuration: To provide route service as direct and safely as possible. (Page 3)

Route Spacing: To provide guidelines to minimize overlapping service and provide maximum area coverage. (Page 3)

Service Correlation Standards: To provide all Transit passengers with as many direct, one vehicle transit trips as possible. (Page 4)

Passenger Loading Standards: To provide a guideline for increasing the level of service as ridership increases. (Page 4)

Service Frequency (Headway): To establish maximum standards for each type route during each period of operation. (Page 4)

Fares: Set to provide revenue required to offset at least 30% of system expense. (Page 6)

Passenger Stops: To provide definite guidelines in transit stop placement. (Page 6)

Passenger Shelters and Benches: To provide more passenger facilities by reducing boarding requirements to meet criteria. (Page 7)

Performance Standards: To establish safe, reasonable scheduled speeds and on-time schedule performance. (Page 7)

Operating Performance Evaluation: To provide a semi-annual evaluation as to the performance of the AUSTIN TRANSIT SYSTEM. (Page 7)

CHAPTER III. Special Transit Services

Procedure for Scheduling Service: To provide service with three (3) work hours advance notice. (Page 12)

Scheduled Return Trips: To provide return trips up to two (2) hours after 10:00 p.m. weekdays only. Return trips after operational hours on weekends are discontinued.

Trip Cancellation: To reduce number of trips being cancelled without the required one (1) hour notice. (Page 13)

Destination Change: To stop requests for destination change after pickup. (Page 13)

CHAPTER IV. Customer Service

Public Information: This policy has been adopted by the City Council.

CHAPTER VI. Maintenance and Purchasing

Maintenance: No change made.

Purchasing: A revised Purchasing Policy tailored to the special needs of the Transit System has been provided by Purchases & Stores.

Motion

Councilmember Goodman moved that the Council postpone the item for one week. The motion was seconded by Councilmember Snell. After Mayor McClellan stated that she felt no action was necessary to defer for one week, Councilmember Goodman withdrew his motion, and the item was deferred for one week.

ANNEXATION OF ACREAGE TO WILLIAMSON COUNTY MUD NO. 1

The Council had before consideration of approving the annexation of 83 acres to Williamson County Municipal Utility District No. 1. (Requested by Mr. Wayne R. Schade, President, Board of Directors)

City Manager Davidson stated that there were two recommendations. The applicant was requesting one format for approval and the City Manager was recommending another one.

MR. CURT JEFFRIES, General Manager, Williamson County MUD No. 1, stated that the District was asking for the original formula of buying the internal lines and allowing the District to get a site location for a future fire station and contributions from the development.

Councilmember Himmelblau said that she had no real problems with the proposed annexation's coming in under similar conditions of the past annexation, but she did have problems with any other land coming in under the full MUD and would only vote for the limited MUD or not for the infrastructure on what else was to be considered.

Motion

Councilmember Himmelblau moved that the Council adopt a resolution approving the annexation of 83 acres to Williamson County Municipal Utility District No. 1 under the same requirements as the past acreage that was annexed. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Goodman, Himmelblau  
Noes: Mayor McClellan, Mayor Pro Tem Cooke  
Not in Council Chamber when roll was called: Councilmember Trevino

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WILLIAMSON COUNTY MUD

The Council had before it consideration of approving the annexation of 77.071 acres of land to the Williamson County Municipal Utility District No. 1 as requested by the Board of Directors of Williamson County Municipal Utility District No. 1 and J. Gregg Development Company.

Councilmember Goodman asked the City Manager if someone could explain the difference between the annexation just approved and the present request insofar as what the applicant was requesting.

CURTIS JOHNSON, Director, Water & Wastewater Department, said that the request for annexation of the 77-acre tract was that it annexed under the same terms as the original 208 acres. The only difference between annexation of the 77.071 acres was the donation of one-half acre of land in the 83-acre tract for a fire station (in lieu of parkland donation) and a contribution of 30 per cent of the cost of internal lines be made to the District from the developer for the purpose of either developing the fire station site or any other purposes the District Board might specify. Amenities in the 77.071-acre tract would be the same as in the original 208-acre annexation. There was no difference from a water and sewer standpoint.

City Manager Davidson said that he was recommending approval without the ability to finance the internal lines. The applicant was requesting the same privilege as had been approved on the 83 acres.

Councilmember Goodman pointed out that the request for annexation of the 83 acres had been filed about two years ago and the other one had not.

Councilmember Mullen agreed that that point was the key difference.

Councilmember Himmelblau asked if the annexation were allowed to the MUD, in Area B shown on a map from the MUD what would it do to the necessity of selling bonds to finance additions to the MUD and what delay would it cause to future City annexations? Also, if the subject tract was annexed, would there be more annexation requests to the MUD?

City Manager Davidson replied that based on the annexation plan presented to the City Council earlier it was possible that the property could be considered for annexation by 1981 or 1982. If the land were annexed after creation of the MUD, the City of Austin would have to assume the debt and other obligations of the District. No policy had been finalized with regard to the creation or the annexation of MUD's in other areas. Annexation to the Williamson County MUD No. 1 would ensure that the project would be put on the sewer system. There might be other options as to how developments on the east side of Highway 183 could be developed on a sewer, but there were no immediate options. He anticipated that there would be additional requests for annexation on the east side of 183 to the same MUD. No policy existed to prohibit an applicant from requesting consideration of annexation to the subject District. He would not recommend creation of another District. Based on some precedents and the fact that the Williamson County MUD No. 1 was a good District and operating well, with the ability to provide some service in the area east of 183 which the City was not yet ready to provide, he recommended approval of the annexation request.

Mayor Pro Tem Cooke asked about the financial impact on the City if the City delayed annexation. The new annexations would probably require the sale of more bonds by the District, which could delay the City from annexing the area to avoid assuming obligation for the bonds.

Councilmember Himmelblau stated that if new bonding authority were granted and the bonds sold, it would delay the City's annexation procedures. She was hoping that by December, 1980 that the City would be ready to annex the subject property. She felt that with each annexation to the MUD because the City would have to annex the entire MUD, that it put off any consideration of City annexation.

Curt Jeffries and the Council discussed the effects of HB1974 on the proposed annexation. Albert DeLaRosa stated that the Bill was not now effective and the City of Austin did not have the authority to enter into the type of agreement referred to in the Bill.

Mr. Jeffries asked the Council, if it permitted annexation of the 77.071 acres, to set a policy which would cover the entire 400 acres in Area B so that necessary planning could be undertaken. He stated that unless the developer would contribute the parklands and put up the money for the facilities, then his voters would not approve the bonds needed to serve the area. If the bond election failed, the developer probably would request deannexation since he was paying taxes and receiving no services.

Regarding Councilmember Himmelblau's question on the possible annexation to the District of Forest North Subdivision, Mr. Jeffries said that he saw no advantage to the District to undertake that annexation;

City Manager Davidson said that if the Council considered annexation of the area east of 183 and financing of the internal lines, he would not recommend annexation at all of any of the area of 183 because he was concerned about future obligations of the City as compared to other developments within similar areas.

There was discussion regarding parkland for the area and the possibility of master planning of the entire 400-acre tract. There would be about 200 acres of parkland within the 400 acres.

City Manager Davidson said that if there could be agreement that the parkland to be dedicated and developed has a value for the future of that area, the City would rather try to determine the value to the City of Austin if annexation were necessary in the future. He would prefer to recommend that some bond money be used for that purpose than a tradeoff between the financing of internal lines so that there would be enough money to dedicate parks.

Mr. Jeffries stated that that approach was not legal. He did not believe that the Davenport Ranch agreement that the City and the applicant had worked out would ever be approved by the Texas Department of Water Resources.

Mr. Davidson further stated that he had engaged in similar discussions with others associated with the District, and they were unable to arrive at a legal, equitable amenities package which he could recommend to the City Council. At the request of some people, he would go back to work on the matter again.

#### Motion

Councilmember Goodman moved that the Council approve the annexation of the 77.071 acre tract into the Williamson County Municipal Utility Number 1 with the amenity package, but not allowing the local water and wastewater systems to be financed with MUD bond funds. The motion was seconded by Councilmember Mullen.

Mayor Pro Tem Cooke felt that a disservice to the City and MUD was being done in doing the area in a piecemeal fashion and was counter to a Master Plan. He thought that it was in the best interest of the City to plan for the entire 400 acres.

Councilmember Himmelblau asked if the Council voted on the limited MUD and the Anderson Mill MUD proper decided to grant the annexation the same privileges, what superseded what?

Albert DeLaRosa replied that the City still had control through having to approve the MUD's bond sales.

Mr. Jeffries agreed that the entire 400 acres should be considered in terms of planning for the area. He did not think that it was right to look just at the 77 acres because it would not be good for his District.

Mayor Pro Tem Cooke said that he agreed totally with master planning in conjunction with the Planning Section of the Parks & Recreation Department on the 400 acres, but he still concurred with the staff's recommendation about not funding the internal lines.

Councilmember Himmelblau asked Mr. Bert Hooper if the MUD could rule differently from the Council and let the developer have the infrastructure?

Mr. Hooper stated that it was a contractual matter and he thought that it was enforceable contractually. The City's resolution would dictate the terms of annexation. No bonds could be issued without the City's consent.

Mayor Pro Tem Cooke asked the City Manager about the City's position about master planning for parks in MUD's.

City Manager Davidson indicated that he agreed with what was being said, but that at the present time there was no policy or recommended policy that would enable the City to acquire parks in MUD's. He also agreed that if there was going to be annexation and if ultimately the entire section between RM 620 and the subject property would be annexed to the District, that it was worthwhile to plan for the 400 acres. Under current policy, that would be the obligation of the District because they were requiring the parks.

#### Roll Call on Motion

Roll Call on the motion showed the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan, Mayor Pro Tem Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

#### SPRINGWOODS MUD

Council had before it for consideration a resolution to reapprove the creation of the Springwoods Municipal Utility District No. 1 and authorizing the expenditure of bond funds for interest during construction.

Mayor McClellan pointed out they have a memorandum which addresses interest during construction.

#### Motion

Councilmember Goodman moved that the Council adopt a resolution to reapprove the creation of the Springwoods Municipal Utility District No. 1 and authorizing the expenditure of bond funds for interest in the amount of \$421,480 during construction. The motion, seconded by Mayor McClellan carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

Abstain: Councilmember Trevino

## KNIGHTS OF COLUMBUS ZONING ORDINANCE

Council had before it for passage of second and third readings of an ordinance amending the 1967 Austin City Code (Zoning Ordinance) to cover the following change:

KNIGHT OF COLUMBUS HOME ASSN. By Jeryl D. Hart C14-79-042	2305-2333 Columbus	From Interim "A" Residence 1st Height and Area To "A" Residence 1st Height and Area
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Councilmember Himmelblau said she pulled this for discussion because, "when I made the motion back about a month or so ago I implied it should be tied to a Special Permit and a site plan and would further amend that to have it a low density with a site plan of six units or less. I don't know if you can amend something you are voting on or you just vote against it." Mr. Albert DeLaRosa, Assistant City Attorney, said it can be amended.

Amendment to Motion

Councilmember Himmelblau made an amendment to the motion to tie the zoning to a site plan and a Special Permit, with a density of no more than six units per acre; site plan to be approved by both Planning Commission and City Council. Mayor Pro Tem Cooke seconded the amendment to the motion.

Councilmember Mullen said he wanted to know how the applicant feels about the amendment. Don Bird representing the applicant, said he felt the restriction of 6 units per acre, for the amount of money it will cost to do it, will make it impractical and not developable.

Motion Withdrawn

Councilmember Himmelblau withdrew her motion, stating it is just as easy for her to vote against the zoning change.

Councilmember Himmelblau wanted the motion before Council clarified. Mr. Jerry Harris, City Attorney, said the motion before Council includes a restrictive covenant with a site plan in it for approval by the Planning Commission and the City Council. It also has stipulation the southernmost 30' will remain a buffer and a conservative easement. Mr. Bird stated it will have to have a Special Permit in order to have 10 units per acre in "A" zoning.

Mayor Pro Tem Cooke asked how the applicant will deal with urban run-off. Mr. Bird said Councilmember Mullen had made a special request to see the engineering on the run-off and that information was provided to him.

Motion

Councilmember Goodman moved that the Council deny the zoning request in Zoning Case C14-79-042. The motion was seconded by Councilmember Trevino.

Councilmember Himmelblau asked if in the motion to deny the zoning it would be permissible to grant permanent "AA". Mr. Harris said if that is what Council is going to request, he wanted this postponed for a week so he could determine whether they can change the zoning category. Mayor Pro Tem Cooke asked, "If this motion passes, to deny, I'd like to find out from the Planning Department what can be built on this land." Mayor McClellan answered it would not be as restrictive as what is before Council now. Councilmember Mullen said that if the public knows for certain whether their choice is to buy the property or keep it with the zoning granted by Council it will be easier for them to make a decision when they vote. Mr. Lillie told Council if they deny the zoning today they will be left with Interim "A" and they can do anything that "A" permits them to do.

Motion Withdrawn

Councilmember Goodman withdrew his motion.

Motion

Mayor McClellan brought up an ordinance for its second reading only to cover the following zoning change:

KNIGHTS OF COLUMBUS	2305-2333 Columbus	From Interim "A" Residence
HOME ASSOCIATION		1st Height and Area
By Jeryl Hart		To "A" Residence
C14-79-042		1st Height and Area

The ordinance was read the second time and Councilmember Mullen moved that it be passed to its third reading. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers  
Himmelblau, Mullen

Noes: Councilmembers Trevino, Goodman, Snell

The Mayor announced that the ordinance had been passed through second reading only. (Case later withdrawn)

## WATER QUALITY TESTING & ASSESSMENT

Councilmember Himmelblau introduced an item to Council concerning a progress report on Water Quality Testing and Assessment in regard to Lake Austin Interim Study. She said Mr. Graves, Department of Engineering, had already shown her what is being done, and suggested no further discussion was needed.

## PUBLIC HEARING SET

Councilmember Mullen introduced an item to Council concerning the proposed schedule for a public hearing to consider the following:

Amend Septic Tank Ordinance to allow use of the evapotranspiration systems.

Amend appropriate ordinance to allow collective systems.

Consideration of any other innovative techniques of handling sewerage.

He said he thought it was time to move on the ET systems and get them integrated into our Septic Tank Ordinance. He said staff informed him the county and the city are presently working together to come up with some rules and regulations and want 90 days to let the county complete their work.

## Motion

Councilmember Mullen moved that the Council set a public hearing for October 18, 1979 at 7:00 p.m. on amending the Septic Tank Ordinance to allow use of the evapotranspiration systems; amending appropriate ordinance to allow collective systems; and consideration of any other innovative techniques of handling sewerage. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino

Noes: None

## 1979-81 GOALS & OBJECTIVES

Mayor Pro Tem Cooke moved that the Council adopt a resolution to adopt the 1979-81 Goals and Objectives. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

## CIP and OPERATING BUDGET PUBLIC HEARINGS SET

Councilmember Goodman moved that the Council adopt a resolution to set a public hearing on August 22, 1979 at 5:00 P.M. for the 1979-84 Capital Improvements Program; and a public hearing on September 4, 1979 at 5:30 P.M. on the Operating Budget. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor McClellan,  
Mayor Pro Tem Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmembers Mullen,  
Snell, Trevino

Mr. Daron Butler, Budget Director, stated copies of the proposed budget and CIP program may be purchased at city's cost of \$15.00. A Citizen's guide, which will have the same information, but in condensed form, will be available free of charge at the Information Center, Municipal Building, the City Clerk's Office, and Budget and Research Office. The budget will be available in the Clerk's office, Central Library, and branch libraries.

## PUTNAM DRIVE

The City Manager's Report on Putnam Drive from Ohlen Road to U.S. 183 was presented by Joe Ternus, Director of Urban Transportation. Mr. Ternus said that as a result of requests from citizens, his department has studied the area in the vicinity of Putnam Drive to determine what measures could improve traffic safety. The studies included speed studies, traffic counts, accident analysis, sight visibility and vehicle trip generations. He said they have recommended the installation of additional warning signs for the curve in the 8500 block of Putnam Drive to outline the curve and make it easier for the motorist to identify and negotiate the curve. Also recommended is a center stripe line on Putnam drive to better define the directional travel lanes, and to reduce speeding. Mr. Ternus said the people living there did not think the additional signs would have any impact but it is the department's observation people forget where they are driving if they are not reminded. Someone in the neighborhood had commented a stripe in the middle of the road would call attention to Putnam as a major thoroughfare, but it is the contention of Mr. Ternus the yellow line will divide the traffic and keep each on their own side, thus providing a definite safety impact. Mr. Ternus said there are several other additional options which the neighborhood felt should be considered. One was a four-way stop at the corner of Putnam and Teton to slow down the traffic. They found the corner does not justify a four-way stop. Widening of Peyton Gin Road between 183 and Putnam could be included in the Capital Improvement Program for some subsequent year if Council desires but there are not funds available in the 1979-80 budget. A traffic light at 183 and Peyton Gin was suggested and he believes the Highway Department had plans to improve that intersection based on designs submitted to them. Mr. Ternus said several of the citizens do not feel the recommendations of his department will have an impact on the problem and so they feel it best to keep things as they are. Mr. Ternus said he still feels the recommendation would have a positive

impact and recommends their implementation. He said the idea of sidewalks along the street has been presented to him. He thinks it is a good idea and will submit it to the School Safety Construction Program. The neighborhood wanted to know if there will be an increase in traffic due to commercialization of the area, and Mr. Ternus said there should be some increase, but most of the traffic will be going along 183 rather than back into the neighborhood.

A woman who did not identify herself said they wanted to decrease the flow of traffic and the study does not have any recommendations for that.

A man who did not identify himself said he is concerned about the traffic flow and also about the speed of the traffic. He said he sees a need for the warning signs for the curve, for increased radar enforcement, but does not see how a center line stripe will do anything about solving their problem. He asked for an explanation as to why a stop sign at the corner of Putnam and Teton is not feasible.

Mr. Davidson asked that Mr. Ternus visit with the man and woman who spoke and ask for any comments on their reasons for objecting to the Urban Transportation Department's suggestions. He said they would take their comments and suggestions into consideration as they work to improve the traffic conditions. The Mayor asked to be kept advised of their conversations.

#### SINGLE APPRAISAL DISTRICT

Mr. Jack Klitgaard, Tax Assessor-Collector, appeared before Council to state, "The new property tax code, better known as Senate Bill 621 did pass the last session of the Legislature and now has become law. It does establish a single appraisal office or appraisal district for each county in Texas and all city schools and special taxing districts are mandated to participate in this single office. Counties are excluded at the present time by virtue of a conflict with existing constitution. This appraisal office is to be governed by a five-member board of directors. These five members are to be elected by the governing bodies of all participating taxing districts. Your vote, as far as the election of these directors, is going to be based on the tax levy of each district as it compares to all tax levies within this county."

Mayor McClellan asked him to define the vote. Mr. Klitgaard answered, "All counties will have five directors for each appraisal district. The first step will be to nominate five members as a City Council. Only five out of all the nominees will be elected and there will be nothing wrong with the City and the School District nominating the same one. When all candidates are nominated the County Clerk will prepare a ballot and submit to you. You will vote for the five or you can group all your vote entitlement and vote for one if you like." The Mayor asked if they can guarantee the five the Council wants in. Mr. Klitgaard said, "No, your vote entitlement will be based on the tax levy that the City of Austin levies as it compares to all tax levies within the appraisal district or this county." Mayor McClellan asked, "How much clout will we have?" Mr. Klitgaard replied, "Probably second greatest to the school district". Mayor Pro Tem Cooke said that almost implies the more you tax the more your vote is. Mayor

McClellan asked how many Council could guarantee of their choice. Mr. Klitgaard said, probably less than two of them. If they want to group all their votes for one candidate they would cinch the vote of one candidate.

Councilmember Himmelblau asked what the duties of the five people will be. Mr. Klitgaard told her, "They should administer all the affairs of the appraisal district but they should have some options. The first is they can contract with some existing tax office within their county to perform their work for them. For instance the Board of Directors for Travis County could contract with Del Valle Tax Office, or Manor Tax Office or Austin Tax Office. And if the county chose to join them it's not mandated the county join this district this year, there is a proposed Constitutional amendment coming up next year, I understand, that may mandate the county participate but right now it is optional with the county. Or, the Board of Directors could select, if the county participates, the County Tax Office to perform the appraisal function."

Councilmember Himmelblau asked what would happen to our tax office then. Mr. Klitgaard answered, "This is the prerogative of the five member Board of Directors. If they select the option of creating an entirely separate tax office then the City of Austin has an option of retaining an assessment and collection office, or they can contract this work with the district, also. If the Board of Directors feels that in our particular case that the City of Austin should perform this appraisal work, then really nothing happens with our tax office but they make a contract with you as Councilmembers for us to perform this function for them on a county-wide basis." Mayor Pro Tem Cooke commented, "The tax office would in effect, become the appraisal entity and collection entity for the entire district. Mr. Klitgaard said, "That's correct..well, not necessarily the collection entity. It really established just an appraisal office, but each district within this county had an option of contracting with this appraisal office to perform the assessing and collecting function for them also." Councilmember Himmelblau asked, "If we got stuck with one we didn't want, we could go our own way?" No, Ma'am, Mr. Klitgaard answered. "We could for collecting but not for the appraising. All appraisal in the county for all taxing entities has to be done by the central appraisal office, and we're obligated to use their values....that will reduce the number of tax appraising offices to one for a county, or less. The counties have the option of contracting with another county. Currently there are an excess of 2,000 doing this."

Mr. Davidson asked, "What is it that must be done by the City Council and when?" Mr. Klitgaard stated, "The first step the Council has to do is probably not a difficult one because the City of Austin does extend into Williamson County. Each district that extends into more than one county has to make a choice of which district they wish to do that part of the property. You would have an option of saying, Williamson County District, you can do our little bit there and the Austin appraisal office or the Travis appraisal office can do the rest of it. Or

you have the option of saying the Travis appraisal office doing the whole thing. That decision has to be made by October 1. The second critical date on your calendar is to make sure that your five nominees for this board of directors is submitted to the County Clerk on October 15. By the end of October the clerk will prepare a ballot listing all candidates nominated from all the taxing jurisdictions within the appraisal district to the presiding officer of each governing body. Then you have 15 days in which you can allocate your vote, you can use all your votes for one candidate or you can spread them out for two or more candidates. And that then must be submitted back to the County Clerk by November 15. By December 1 the Clerk will then notify the Council the results of the election."

Mayor Pro Tem Cooke said, "We have the school district, we have the county, we have Del Valle, and Round Rock...15 districts in Austin, and you're saying that to follow through the process would I be in error to say that there is a likelihood to say the school board will be able to put two people on there?" With titlement based on last year's levies, probably three, answered Mr. Klitgaard. He said we would have between one and two. Then all the others, even the county, collectively, won't even have enough for one. Mr. Klitgaard explained, "Under our present contract with the school, we always felt that relationship of the work performed, that is evaluation of the property would be a better basis for distributing than taxes because districts with a very high tax rate in this particular case would control the vote. But that has very little to do with the work that has to be performed. That's more closely related to the values placed on the property. And we thought the valuation would be a better way of determining the vote entitlement, but that doesn't work very well either because if a county participated, they have all the property in the county and they would automatically have 2½ of the five votes." Mayor McClellan stated, "We just want some system that works slightly to our advantage. Mayor Pro Tem Cooke said, "No matter what we do it's not going to work to our advantage versus the school board." Mr. Klitgaard said, "The school board will have the greatest advantage as the vote entitlement, but the payment for the work performed is distributed exactly on the same basis. They also get the advantage of paying the greatest amount of money for the operation of the district....One thing I did want to remind the Council of.... Senate Bill 621 did abolish this thing we call the ratio of assessment which you know is 75% for the City of Austin. By the year 1982 all properties shall be assessed at 100% and we will no longer have the privilege of having 75% or any other percentage of assessment.".... Under the existing laws of truth in taxation the taxing district, even this year, is required to put on all notices mailed to taxpayers the 100% value. Previously we put our 75% value. I think our lawmakers thought this might be somewhat confusing to people, particularly to people in smaller districts that really did not understand there was something like a ratio assessment. That value was not supposed to be the real value of the property. And the idea is to not confuse people that way any more. ....There's one final thing the Council needs to be aware of as far as the change made by the law. That is this five-member board of directors will appoint a board of equalization to serve for the entire appraisal district. It will consist of not less than three members or more than nine members. My understanding of the law, the operations of this board can be divided into three sections, not having less than

three in it which might be a good thing for the metropolitan areas of the state in that it would be somewhat of a problem to conduct board hearings for the entire Travis County or Dallas County or Harris County with three members. Especially when all values have to be put up at 100%. But it will abolish the Council's right to hear tax appeals." Mayor McClellan said, "That is one great feature." Mr. Klitgaard explained, "It will be called a Board of Review that's appointed by the five-member board of directors. After they hear the appeal there is a provision you can appeal to what is now known as the State Tax Assessment Practice Board. It used to be the School Practice Board." Mayor McClellan asked if, next year, when we have property evaluation, the Council will not hear any appeals. Mr. Klitgaard answered, "We're permitted to go a little ways yet. This isn't mandatory until 1982. However all the districts that want to participate can put it in earlier if they choose. To reorganize the taxing office, whether the one in Austin or the county office or the new office for the county, is going to require some expense and there is a provision in the bill that cost of organizing this office or preparing the office for doing the job will be borne by the State. So the cost of the office to be set up in 1980, which we are mandated to do, is not supposed to cost the City of Austin, or any other district, any money."

Mr. Klitgaard explained, "The first time the five man board of directors will be involved in all the city is now involved in will be 1980. Just prior to January 1, 1980, all the districts which opt to participate in this county wide appraisal have to notify the board of their intention of doing so. The first action of the five-member board is to elect or select an office called the Chief Appraiser if they are going to set up their own. The options available to them if they want to use this particular tax office, then the tax-assessor for this tax office automatically becomes Chief appraiser. The City of Austin Tax Appraiser-Assessor's office stays with the city, if the board opts to contract with the city for us to do this work. ...the City of Austin could take on a radical new form if they take that route. All that would remain would be the collection part for the City of Austin. And even then the city would have the option of doing away with that if they wished to contract with the appraisal district."

Mayor Pro Tem Cooke asked how the city could protect the employees if they decided not to opt with the city or the county then all that function which might represent 60 employees, as an example, would be defunct unless they wanted to move them out of the City of Austin and go to work in the separate entity which would mean a different problem. Mr. Klitgaard said he did not think that would become a problem because the quality of assessment and appraisal which is going to be demanded under the rules handed down by the State Assessment Practice Board are going to be significantly increased from what many taxing jurisdictions are accustomed to over the years. I don't think people will be out of a job. I think there will be more work occurring under the new board than there were under a bunch of individuals. The only thing that will change...in Travis County we won't need 15 tax assessors, we'll need one. He said the five member Board will be up for election every two years. Councilmember Himmelblau said "You could have a switch every two years then because it would become so political."

Mayor Pro Tem Cooke asked how the citizens will be able to register their complaints because the board will be somewhat insulated. Mr. Klitgaard said, "You will have someone to share the blame with now. You didn't appoint all the five members."

## CIP WORK SESSIONS SET

The Council unanimously agreed to set two Capital Improvements Projects Work Sessions: Wednesday, August 8, 1979, 2:00 - 9:00 p.m.; and Friday, August 10, 1979, 2:00 - 6:00 p.m.

## ZONINGS SET FOR PUBLIC HEARING

The City Manager reported the following applications have been referred to the Planning Commission for recommendation and have been set for public hearing August 30, 1979:

BOBBY R. TAYLOR C14-79-135	1707-1709 E. Martin Luther King Jr. Blvd. also bounded by Salina Street	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
EULALIO HERNANDEZ C14-79-136	7812 Gault 1301-1303 Anderson Lane	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
C.B. SMITH, SR. C14-79-138	609 Swanee Drive	From "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area
CITY OF AUSTIN By Planning Depart- ment C14-79-139	7900-7932 Cooper Lane 701-709 Dittmar Road 7718-7900 South 1st Street	From Interim "AA" Residence 1st Height and Area To "AA" Residence 1st Height and Area
CITY OF AUSTIN By Planning Depart- ment C14-79-140	1125-2201 East 51st Street 4906-5108 Manor Road 3400-4902 Manor Road 1934-2226 Anchor Lane 3919-4301 Airport Blvd. 4701-5001 Interregional Highway	From "UND" Undeveloped, "A" Residence 1st Height and Area and "C" Commercial 1st Height and Area To "AV" Aviation 1st Height and Area
JOHN A. JOSEPH C14-79-141	11643 Research Blvd.	From Interim "AA" Resi- dence 1st Height and Area To "GR" General Retail 1st Height and Area

JACK E. TAYLOR, JR. C14-79-142	2002 Cody Court	From "BB" Residence 1st Height and Area To "A" Residence 1st Height and Area
WILLIAM F. MUNDAY By Kenny Dryden C14-79-143	1000 Block to 1400 Block of William Cannon Drive	From Interim "A" Residence 1st Height and Area To "O" Office 1st Height and Area
EDDIE DEAN C14-79-144	2506 South Lamar at corner of La Costa	From "O" Office 1st Height and Area To "GR" General Retail 1st Height and Area
DAVID B. BARROW, JR. By Jeryl Hart C14-79-145	7028 Wood Hollow Drive	From "O" Office 1st Height and Area To "C" Commercial 1st Height and Area
MRS. MAEDELLE JOHNSON By Clara Mitchell C14-79-146	506 Denson	From "A" Residence 1st Height and Area To "O" Office 2nd Height and Area
CHARLES COLLIER ELECTRIC, INC. By Charles Collier C14-79-147	411 East Rundberg Lane	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
DAN COVERT and JOHN JOSEPH By John F. Pettit C14-79-148	Rear of 8000- 8016 IH 35 and U.S. 183	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
MARTIN and SHORT PARTNERSHIP and DANIEL J. MARTINKA By W. Lee Choate C14-79-149	1500-1618 Dungan Lane 9501-9517 Dessau Road	From Interim "AA" Residence 1st Height and Area To "O" Office and "DL" Light Industrial 1st Height and Area
CHARLES H. MORRISON, TR., and MORRISON MOORE PROPERTIES By Tom Curtis C14-79-150	7919-7921 Dittmar 7814-7810 South First Street	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area

EDWARD L. ROBERTS  
C14-79-151

2917-2919 Martin Luther  
King, Jr. Blvd.  
1809-1815 Clifford

From "A" Residence  
1st Height and Area  
To "C-1" Commercial  
1st Height and Area

COTTON, TEXAS, LTD.,  
a Texas Limited  
Partnership  
By Robert Sneed  
C14-79-152

9208-9302 Great Hills  
Trail

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area

LAMAR MORTGAGE  
BANKING CORPORA-  
TION  
By Jim Hejl  
C14-79-153

9031-9101 Burnet Road

From "A" Residence  
and Interim "A" Resi-  
dence  
1st Height and Area  
To "C" and "C-2"  
Commercial  
1st Height and Area

JAMES K. PERNAL  
By Forest D. Cook  
C14-79-154

1218-1220 East Live Oak

From "B" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area

AUSTIN INDEPENDENT  
SCHOOL DISTRICT  
By City of Austin  
C14-79-155

1715-1901 East St.  
Elmo Road

From "A" Residence  
1st Height and Area  
To "D" Industrial  
2nd Height and Area

GEORGE BOUTWELL, JR.  
C14-79-156

3913 Avenue C

From "B-H" Residence-  
Historic  
2nd Height and Area  
To "O-H" Office-  
Historic  
2nd Height and Area

COTTON, TEXAS. LTD.  
By Robert Sneed  
C14-79-157

9306-9406 Great  
Hills Trail

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area

ALBERT VANDERLEE  
C14-77-098

12001 U.S. 183  
12200 Howlett Court  
12100-12102 Bell Avenue  
12000-12004 Tweed Court  
5901-6001 and 6000-  
6004 McCoy Road

From Interim "AA"  
Residence  
To "GR" General Retail  
1st Height and Area

<p>BELL AVENUE AREA STUDY By City of Austin Planning Department C14-79-044</p>	<p>TRACT 13: 12004-12102 Bell Avenue 5901-6001 McCoy Road 12200 Howlett Court Rear of 6000-6004 McCoy Road TRACT 14: 11877-12005 U.S. Highway 183 12000-12004 &amp; 12003- 12005 Tweed Court. Rear of 12004-12102 Bell Avenue 6000-6004 McCoy Road, Rear of 5901-6001 McCoy Road, Rear of 12200 Howlett Court</p>	<p>From Interim "AA" Residence 1st Height and Area To "A", "AA" &amp; "BB" Resi- dence "O" Office, &amp; "GR" General Retail 1st Height and Area</p>
<p>BILL MILBURN, INC. By John S. Avery C14-79-083</p>	<p>12024-12036 Burnet Road</p>	<p>From Interim "AA" Residence 1st Height and Area To "C" Commercial 1st Height and Area</p>
<p>AP 803, LTD. By Gary F. Brown C14-79-126</p>	<p>13900-13902 Research Boulevard, also bounded by FM 620</p>	<p>From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area</p>
<p>B.L. MCGEE, INCORPORATED By Gary F. Brown C14-79-127</p>	<p>13584-13600 Research Boulevard</p>	<p>From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area</p>
<p>JAMES H. and JESSAMINE ARNOLD By James H. Arnold, Jr. C14-79-129</p>	<p>13118 RR 620</p>	<p>From Interim "AA" Residence 1st Height and Area To "C-1" Commercial 2nd and 5th Height and Area</p>
<p>JAMES H. ARNOLD, JR. C14-79-130</p>	<p>13114 and 13116 RR 620</p>	<p>From Interim "AA" Residence 1st Height and Area To "C" Commercial 2nd and 5th Height and Area</p>
<p>COTTON TEXAS, LTD. By William B. Cotton C14-79-133</p>	<p>8900-9006 Great Hills 5101-5205 Bluffside Drive</p>	<p>From "AA" Residence 1st Height and Area To "BB" Residence and "O" Office 1st Height and Area</p>

July 19, 1979

DONALD S. THOMAS TRUSTEE and JOHN JOSEPH By Tom Curtis C14-79-098	3701-4309 Duval Road 11900-11942 Burnet Road	From Interim "AA" Residence 1st Height and Area To "DL" Light Industrial 1st Height and Area (as amended)
AUBRA L. SPARKMAN and JUANITA SPARKMAN By Lisa Gambill C14-79-107	2028-2140 Ben White Boulevard 2029-2113 Ivy Trail	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
LISELOTTE L. GAMBILL By William Brooks C14-79-069	2022-2026 Ben White Boulevard 2023-2027 Ivy Trail	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
LAWRENCE M. JOHNSON By Randall B. Wood C14-79-096	1102 and 1102½ West Avenue	From "B" Residence 2nd Height and Area To "O" Office 2nd Height and Area
MATHER-KIRKLAND HOUSE By Sinclair Black and Wayne Gronquist C14h-79-015	402 Academy Drive	From "B" Residence 2nd Height and Area To "B-H" Residence- Historic 2nd Height and Area
SNEED FAMILY CEMETERY By Mrs. E.C. Chamness C14h-77-011	North of 1703 North Bluff Drive	From Interim "A" Residence and "GR" General Retail 1st Height and Area To Interim "A-H" Residence- Historic and "GR-H" General Retail-Historic 1st Height and Area
CITY OF AUSTIN By Jack E. Taylor, Jr. C14-79-158	2100 Block East 51st Street	From "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area

ZONING HEARING SET

The City Clerk announced the following zoning hearing has been set for August 9, 1979 at 10:00 A.M.

CRISWELL MANAGEMENT  
CO., INC.  
By Stephen L. Van  
C14p-79-027

200 Barton Springs  
Road

From "L" Lake Development  
To: Special Permit for use  
as a hotel

ADJOURNMENT

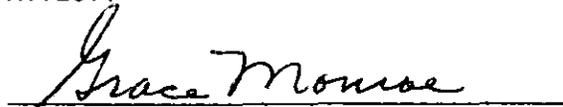
Council adjourned its meeting at 6:30 P.M.

APPROVED:



Mayor

ATTEST:



City Clerk